## UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

LEMOND CYCLING, INC.,

Plaintiff,

Case No. 08-CV-1010 (RHK-JSM)

**DECLARATION OF** 

RALPH A. WEBER

v.

TREK BICYCLE CORPORATION,

Defendant and Third-Party Plaintiff,

v.

GREG LEMOND,

Third-Party Defendant.

STATE OF MINNESOTA )
:SS.
COUNTY OF HENNEPIN )

I RALPH A. WEBER, declare as follow:

I am an adult resident of the State of Wisconsin and one of the lawyers for defendant Trek Bicycle Corporation ("Trek"). I make this Declaration on personal knowledge and in support of Trek's Motion to Compel.

- 1. Attached as Exhibit 1 is a true and correct copy of a letter dated November 14, 2008 from Denise Rahne to Ralph Weber.
- 2. Attached as Exhibit 2 is a true and correct copy of a letter dated December 9, 2008 from Denise Rahne to Ralph Weber.

- 3. Attached as Exhibit 3 is a true and correct copy of Trek's First Set of Written Discovery to LeMond Cycling, Inc. dated September 5, 2008.
- 4. Attached as Exhibit 4 is a true and correct copy of Trek's Counterclaim and Third Party Complaint dated September 22, 2008.
- 5. Attached as Exhibit 5 is a true and correct copy of a letter dated December 19, 2008 from Ralph Weber to Denise Rahne.
- 6. Attached as Exhibit 6 is a true and correct copy of a letter dated December 22, 2008 from Denise Rahne to Ralph Weber.
- 7. Attached as Exhibit 7 is a true and correct copy of a letter dated December 23, 2008 from Denise Rahne to Ralph Weber.
- 8. Attached as Exhibit 8 is a true and correct copy of pages 1 and 8 from LeMond Cycling's Privilege Log.
- 9. Attached as Exhibit 9 is a true and correct copy of Plaintiff's Rule 26 Disclosures dated August 29, 2008.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 31, 2008.

<u>/s/ Ralph A. Weber</u>

Ralph A. Weber (WI SBN 1101563) GASS WEBER MULLINS LLC 309 North Water Street, Suite 700 Milwaukee, WI 53202 Telephone: (414) 223-3300

Fax: (414) 224-6116

ATTORNEY FOR DEFENDANT